

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:15-CV-451-BO

RAYMOND TARLTON, as guardian ad litem for)
HENRY LEE MCCOLLUM, *et al.*,)
)
Plaintiffs,)
)
v.)
)
LEROY ALLEN, *et al.*)
)
Defendants.)

ORDER

This cause comes before the Court on plaintiffs' unopposed motion for amended judgment. [DE 481]. By opinion entered March 8, 2023, the court of appeals affirmed in part, reversed in part, and vacated in part the judgment of this Court, remanding the case for further proceedings to determine whether the jury's compensatory damage award should be reduced by another \$1.5 million pursuant to defendants' motion to amend the judgment. [DE 476]. This Court ordered briefing on the remaining issue, and plaintiffs have responded by filing the instant unopposed motion.

In their motion, plaintiffs state that on remand they no longer contest the \$1.5 million reduction to the compensatory damage award requested by defendants. *See* [DE 437]. Accordingly, plaintiffs request entry of an amended judgment for a total compensatory and punitive damage award of \$63.5 million.

The plaintiffs' motion [DE 481] is ALLOWED. The Clerk of Court shall enter a second amended judgment which, consistent with the mandate of the court of appeals and plaintiffs' position in their motion for amended judgment, reduces the total compensatory damage award by \$11.5 million. The second amended judgment shall thus reflect a compensatory damage

award of \$25.25 million to Henry McCollum and a compensatory damage award of \$25.25 million to Leon Brown. Further consistent with the mandate, the second amended judgment shall not reflect an award of prejudgment interest to plaintiffs.

SO ORDERED, this 20 day of April 2023.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE